

**Memorandum of the Meeting
Study Session/Meeting
Twenty-Eighth Town Council of Highland
Monday, June 04, 2018**

The Twenty-Eighth Town Council of the Town of Highland, Lake County, Indiana met in a study session on **Monday, June 04, 2018** at 6:35 O'clock P.M. in the regular place, the meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Silent Roll Call: Councilors Bernie Zemen, Mark Herak, Steve Wagner and Konnie Kuiper were present. Councilor Dan Vassar was absent with prior notice. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

Officials Present: Rhett L. Tauber, Town Attorney; and Kathy DeGuilio-Fox, Redevelopment Director were also present.

Additional Officials Present: Susan Murovic, Advisory Board of Zoning Appeals; Larry Kondrat, Board of Waterworks Directors; Ed Dabrowski, IT Consultant (Contract) was also present.

General Substance of Matters Discussed.

1. *Discuss remaining appointments including vacancy on Waterworks Board for M. Timmer, the Tree Advisory Board and the Community Events Commission.* The Town Council was reminded that it was in receipt of several applications from persons evidencing interest in serving on the Tree Advisory Board. The Council discussed its readiness for making appointments from those who have applied.

The Town Council President confirmed he had identified a desirable, prospective candidate for appointment to the unexpired term of Matt Timmer from the Board of Waterworks Directors. The Town Council President was advised to remind his prospect to complete an application.

It was also noted that John Breslin was recommending a candidate for the Town Council's consideration for appointment to one of the two vacancies on the commission with annual terms. There seemed to be no objections.

2. *Further review the road resurfacing list provided by the Operations Director.* The Town Council again reviewed the list of identified projects for road resurfacing and repair prepared by the Operations Director. The Town Council President also stated that he believed that the Operations Director has indicated that this was the first list and that there would be another.

The Town Council also discussed that at the study session of May 21st 2018, there were presented some added streets of concern with some members indicating their intention to share the additional sites with the Operations Director for inclusion in the list, among these was a site near Hess Drive and the 9000 block of Orchard Drive.

The Town Council President and the Town Clerk-Treasurer discussed the ways and means that could be employed to finance the road program. It was noted that the Public Works Director, the Operations Director, the Deputy Clerk-Treasurer and the Clerk-Treasurer planned to confer and recommend a desirable

WHEREAS, Public input and involvement in the redistricting process will empower our communities by allowing them to elect representatives who represent their interests on issues that are important to their lives; and

WHEREAS, The boundaries of state legislative districts are currently drawn by legislative incumbents, often sacrificing the integrity of neighborhoods and municipalities to protect incumbent officeholders and partisan control ; and

WHEREAS, The boundaries of congressional districts are currently drawn by state legislatures, often sacrificing the integrity of the representation reflecting popular voter majority preferences to protect partisan control fostering undue disincentives for legislative cooperation, bipartisan work product and policy consensus that allows continuity rather than volatility in law; and

WHEREAS, Important principles such as the protections of the federal Voting Rights Act of 1965 and respect for neighborhoods and cities should be clearly listed by which a Commission should abide;

WHEREAS, Voters are more likely to participate when they feel that their vote will count and that they have a reasonable chance of electing candidates who represent their interests; and

WHEREAS, Elected officials are more responsive to constituents when voters have a choice of candidates, thus increasing accountability and serving the best interests of the voters of Indiana; and

WHEREAS, The existing redistricting and reapportionment process, proffers citizens little opportunity to correct shortcomings of these proposed districts; and,

WHEREAS, There is ample need to take steps to correct the current form of redistricting and cure the effects it endures from the mischiefs of faction; and,

WHEREAS The Town of Highland by and through its elected officers wishes to offer a distinct, public expression on the public import of this matter,

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Highland, Lake County, Indiana that it is the sense of the Town Council of Highland is as follows:

Section 1. That it is the sense of the Highland Town Council, offering its sense of the subject to call upon our Indiana General Assembly to enact comprehensive redistricting reform;

Section 2. The Town of Highland by and through its Town Council, offering its sense of the subject, respectfully calls upon our Indiana General Assembly, in furtherance of the comprehensive redistricting reform, that the state of Indiana *establish a citizens-led commission* composed of Indiana voters who are representative of the state's diversity, partisan balance, and geography, for all future redistricting, overseeing the process to draw the boundary lines of the Indiana Senate, Indiana House of Representatives and Congressional districts;

Section 3. That it is the further sense of the Highland Town Council, offering its sense of the subject to call upon our Indiana General Assembly to enact comprehensive redistricting reform as described in the forgoing sections, rendering state legislative and congressional districts drawn according discretely described criteria, in compliance with and honoring the following:

- (a) The United States Constitution's requirement of "one person, one vote";
- (b) The Voting Rights Act (VRA);
- (c) Contiguity requirements, which renders districts as a connected and contiguous area;
- (d) Respecting and to the extent possible honoring communities of interest, city, town and county boundaries;
- (e) Political competition, where this does not conflict with the above criteria; and,
- (f) Compactness, where this does not conflict with the above criteria;

Section 4. That it is the still further sense of the Highland Town Council, offering its sense of the subject to call upon our Indiana General Assembly to enact comprehensive redistricting reform as described in the forgoing sections, that addresses of any individual, including an incumbent officeholder or candidate, shall not be considered when any district is drawn;

Section 5. That it is the still further sense of the Highland Town Council, offering its sense of the subject calling upon our Indiana General Assembly to enact comprehensive redistricting reform as described in the forgoing sections, that the public should be given ample, meaningful notice to participate in any Commission meetings and such meetings should be convened in at least three(3) different geographic regions of the state;

Section 6. That it is the still further sense of the Highland Town Council, offering its sense of the subject calling upon our Indiana General Assembly to enact comprehensive redistricting reform as described in the forgoing sections, that members of the Commission, during the redistricting process and until its final work is produced, must be prohibited from any and all off-the-record, *ex parte* communications with anyone (including lobbyists, political party officials, elected officeholders and candidates), except staff and legal counsel;

Section 7. That it is the still further sense of the Highland Town Council, offering its sense of the subject calling upon our Indiana General Assembly to enact comprehensive redistricting reform as described in the forgoing sections, that such legislation provide further that upon receipt of the work or report of the herein named commission, each chamber of the Indiana General Assembly consider the matter, without amendment, permitting only a vote to affirm or reject, to the extent that this conforms and complies with Article I, Section 4 of the United States Constitution and Article 4, Section 5 of the Indiana Constitution; and

Section 8. That it is the still further sense of the Highland Town Council, offering its sense of the subject calling upon our Indiana General Assembly to enact comprehensive redistricting reform as described in the forgoing sections, that redistricting should continue to occur once every 10 years following the decennial U.S. Census and Congressional Reapportionment;

Section 9. That the Clerk-Treasurer be hereby further instructed to transmit and forward this resolution to the Governor of Indiana, the Indiana State Senator from District One, the Indiana State Representative from District Twelve and such persons as may be deemed to have an interest in this matter and to encourage those persons to evidence their strong desire to see the objects and purposes of this "*Sense of the Council Resolution*" achieved.

DULY RESOLVED and ADOPTED this ____ Day of _____, 2018 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of ____ in favor and ____ opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Mark A. Herak, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1;IC 36-5-6-5)

4. **Discuss the possible amendment of current amounts for faithful performance bonds for certain officials in the Town.** (See document accompanying) The Town Clerk-Treasurer called to the attention of the Town Council a summary document that listed the current authorized surety or faithful performance bonds that are authorized either by the local Town Code or by operation of enabling law for the some of the various boards and commissions.

The discussion included an exploration of whether some board or commissions should in fact have any faithful performance bond requirement. The Town Clerk-Treasurer presented a summary of the statute IC 5-4-1 et seq. It was noted that this matter would not be taken up at the next meeting. However, the Town Clerk-Treasurer requested some feedback on the desirability to modify in some cases some of the faithful performance bonds amounts. The Town Clerk-Treasurer further stated that he would be prepare a summary of suggested changes to bring the bonds up to date.

The sheet summary of bonds for the several positions that require it was provided. The matter would require some further discussion following a preparer report at

FAITHFUL PERFORMANCE BONDS
Office of the Clerk-Treasurer • Town-wide

Pursuant to Town Council Ordinance No. 1059 and I.C. 5-4-1, the following summary for the fidelity sureties of the unit are fixed and established:

1. Whenever a statute provides for an individual bond such as the Sanitary District law and the Town Board of Metropolitan Police Commissioners Law in an amount that varies from the minimum bond amount set up in I.C. 5-4-1, the statutory amount fixed in the relevant enabling law will be used.
 2. **Public Works Director.** The Faithful Performance Bond amount is fixed at \$8,500. (See HMC Section 2.20.030)
 3. **Building Commissioner/Chief Inspector.** The Faithful Performance Bond amount is fixed at \$10,000. (See HMC Section 2.25.030)
 4. **Electrical Inspector.** The Faithful Performance Bond amount is fixed at \$8,500. (See HMC Section 15.15.010)
 5. **Plumbing Inspector.** The Faithful Performance Bond amount is fixed at \$8,500. (See HMC Section 15.20.020 (B))
 6. **Code Enforcement Inspector.** The Faithful Performance Bond amount is fixed at the minimum statutory amount, which is \$ 30,000. (See HMC Section 5.20.060)
 7. **Police Pension Secretary.** The Faithful Performance Bond amount is fixed at \$15,000. (See HMC Section 9.10.150 (B))
 8. **Officers and Employees: Parks & Recreation.** The Faithful Performance Blanket Bond amount is fixed at \$15,000. (See HMC section 11.05.080)
 9. **Officers and Employees: Municipality including the Utility.** The Faithful Performance Blanket Bond amount is fixed at \$30,000. (See HMC Section 2.35.060)
 10. **Clerk-Treasurer.** The Faithful Performance Bond amount is fixed by resolution annually based upon the provisions of I.C. 5-4-1 et seq. A bond must be obtained for his duties as Clerk-Treasurer and for his duties as Barrett Law Fund Custodian. The minimum surety amount must always be \$30,000 for each role and cannot exceed \$ 300,000. The statute provides that the surety be fixed at \$30,000 per \$ 1,000,000 of receipts from the previous year. (See IC 5-4-1-18(a)(2))
 11. **Water Works Board of Directors.** The Faithful Performance Bond for *each* amount is fixed by the Fiscal Officer according to I.C. 8-1.5-4 and the local code at \$15,000. (One for each director) (See HMC 12.05.030 and *hereby fixed by the Clerk-Treasurer accordingly.*)
 12. **Redevelopment Commissioners.** The Faithful Performance Bond for *each* amount is fixed according to I.C. 36-7-14-7(c) and HMC Section 14.10.040 (B) at \$15,000.
 13. **Member of the Town Board of Metropolitan Police Commissioners.** The Faithful Performance Bond amount for *each* is fixed according to I.C. 36-8-9-3.1(f) at \$5,000.
 14. **Member of the Board of Sanitary Commissioners.** The Faithful Performance Bond amount for *each* is fixed according to I.C. 36-9-25-3(d) at \$5,000.
 15. **Community Events Commission.** The Faithful Performance Bond for *the Commission* amount is fixed according to HMC Section and HMC Section 11.15.010 (H) at \$10,000.
5. **Reminder:** June 25, the Town Council Plenary Business **meeting will start at 6:30 p.m.** (without employing a premeeting study session) in order to allow “A gathering to discuss an industrial or a commercial prospect that does not include a conclusion as to recommendations, policy, decisions, or final action on the terms of a request or an offer of public financial resources.” IC 5-14-1.5-2(c)(5) (This is not a meeting)

There being no further business necessary or desired to be discussed by the Town Council, the regular study session of the Town Council of **Monday, June 04, 2018**, was adjourned at 6:59 o'clock p.m.

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer